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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,859	03/06/2002	Richard M. Adler	ADLER 01.01	6936
22186 7590 08/21/2009 MENDEL SOHN, DRUCKER, & ASSOCIATES, P.C. 1500 JOHN F. KENNEDY BLVD., SUITE 405 PHILADELPHIA, PA 19102				
EXAMINER				
ERB, NATHAN				
ART UNIT		PAPER NUMBER		
3628				
MAIL DATE		DELIVERY MODE		
08/21/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

#### **DETAILED ACTION**

1. This action is in response to the "Order Returning Undocketed Appeal," dated August 8, 2009, which returned the application to Examiner for consideration of the "Supplemental Appellant's Reply Brief Under 37 CFR 41.41," dated August 4, 2009.
2. The supplemental reply brief filed August 4, 2009, has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NATHAN ERB whose telephone number is (571) 272-7606. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NATHAN ERB  
Examiner  
Art Unit 3628

Nhe

/JOHN W HAYES/  
Supervisory Patent Examiner, Art Unit 3628